

Message Text

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ORIGIN EB-07

INFO OCT-01 NEA-10 IO-13 ISO-00 STR-04 TRSE-00 COME-00
AGRE-00 LAB-04 SIL-01 CEA-01 CIAE-00 DODE-00
FRB-03 H-01 INR-07 INT-05 L-03 NSAE-00 NSC-05
PA-01 EPG-02 AID-05 SS-15 ITC-01 PRS-01 SP-02
OMB-01 FEA-01 NSCE-00 SSO-00 USIE-00 INRE-00
OIC-02 /096 R

DRAFTED BY EB/OT/GCP: SRLYNN
APPROVED BY EB/ITP/OT: SAHMAD
NEA/PAB - JMULLIGAN
STR - JGREENWALD (SUBS)
TREASURY - EBARBER
COMMERCE - TKIVLAN (INFO)
AGRICULTURE - FGEERKEN(INFO)
LABOR - DWANNAMAKER (INFO)
-----043620 222317Z /70
O 222217Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY ISLAMABAD IMMEDIATE
INFO USMISSION GENEVA IMMEDIATE

C O N F I D E N T I A L STATE 172100

E.O. 11652: N/A

TAGS: ETRD, GATT, PK

SUBJECT: GATT BOP CONSULTATIONS WITH PAKISTAN

REF: (A) ISLAMABAD 7416, (B) STATE 114374, (C) GENEVA 4115
(D) GENEVA 5826

1. WASHINGTON WISHES TO MAKE CLEAR TO EMBASSY OUR VIEW
THAT REQUEST FOR FULL BOP CONSULTATION WITH PAKISTAN IS
IN SUBSTANCE (ALTHOUGH NOT PROCEDURALLY) ENTIRELY NON-
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CONFRONTATIONAL MATTER.

2. SUMMARY PARA OF REF B EXPLAINS THE REASONS BEHIND US
REQUEST FOR FULL CONSULTATION WITH PAKISTAN AT THIS TIME.
THAT LANGUAGE SEEMS FULLY SUITABLE FOR USE BY EMBASSY IN
ANY DISCUSSIONS REQUESTED BY GOP. PAKISTAN IS NOT THE
FIRST--NOR DO WE EXPECT IT TO BE THE LAST--TO BE REQUESTED

TO HAVE FULL CONSULTATION WITH BOP COMMITTEE.

3. SUCH CONSULTATION IS, ACCORDING TO THE GATT SECRETARIAT, A NATURAL CONSEQUENCE OF THE IMPOSITION OF TRADE MEASURES NOTIFIED TO THE GATT AS INTENDED TO BE FOR BALANCE OF PAYMENTS REASONS. THE "SIMPLIFIED PROCEDURES," OR "MINI-CONSULTATION" IS THE EXCEPTION ALLOWED TO FREE DEVELOPING CONTRACTING PARTIES FROM THE MILDLY ONEROUS

BURDEN OF PREPARING--AND SENDING A QUALIFIED PERSON TO GENEVA TO DISCUSS--A LENGTHY DOCUMENT ON THEIR RESTRICTIONS.

4. NOR IS THE CONSULTATION A CONFRONTATIONAL AFFAIR AT WHICH DEVELOPED COUNTRIES DEMAND AN END TO RESTRICTIONS AND A RETURN TO FREE TRADE. TO THE CONTRARY, THE USG RECOGNIZES THE BOP PROBLEMS FACED BY LDC'S AND, AS THE 1969 CONSULTATION WITH PAKISTAN INDICATES, TAKES THE OPPORTUNITY TO MAKE CONSTRUCTIVE SUGGESTIONS AIMED AT SOLUTIONS TO BOP PROBLEMS WITH A MINIMUM OF COMPLEXITY AND DISTORTION OF TRADE PATTERNS.

5. AS INDICATED BY REF C, THE ONLY SERIOUS PROBLEM TO BE RAISED SO FAR IN GENEVA WITH RESPECT TO THESE CONSULTATIONS IS THE PROCEDURAL ISSUE REGARDING THE CONFIDENTIAL

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ABILITY OF ONE COUNTRY TO SUCCESSFULLY REQUEST A FULL CONSULTATION. REF C INDICATES THAT THE US IS SUPPORTING THE INTERPRETATION OF THE RULES GIVEN BY THE GATT SECRETARIAT ON THIS MATTER. AND, ALTHOUGH POLITICAL CONCERNS FREQUENTLY PREVENT OTHER DC'S FROM TAKING AN ACTIVE, SUPPORTING STANCE, REF D INDICATES THAT MANY ARE EXPECTED TO DO SO AT THE UPCOMING COUNCIL MEETING.

6. IT MAY BE POINTED OUT THAT THIS CONSULTATION IS NOT AN ATTACK ON EITHER PAKISTAN OR ANY PARTICULAR GOVERNMENT. IT IS A CONSTRUCTIVE REVIEW OF MEASURES TAKEN OVER AN EIGHT-YEAR PERIOD. GOP HAS BEEN GIVEN SIX MONTHS TO PREPARE DOCUMENTATION, AND A POSTPONEMENT IS POSSIBLE IF IT HAS REAL DIFFICULTIES IN DOING SO. THAT DOCUMENTATION WILL BE PRESENTED TO THE GATT BOP COMMITTEE, ON WHICH THE US AND OTHERS WILL LISTEN SYMPATHETICALLY TO PAKISTAN'S PROBLEMS.

7. WE FEEL THAT THE ORIGINAL DECISION TO REQUEST A FULL CONSULTATION IS JUSTIFIED AND SUFFICIENTLY LOW-KEY TO PREVENT ANY SERIOUS PROBLEM IF ADEQUATELY

EXPLAINED TO GOP. WE BELIEVE IT WOULD BE HARMFUL TO
GATT FOR US TO REQUEST WITHDRAWAL OF OUR RECORDED
REQUEST FOR A FULL CONSULTATION. VANCE

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